

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THERESA MARIE SIMEONE, Personal	:	
Representative of the Estate of Albert Francis	:	
Simeone, Jr., Deceased, and THERESA MARIE	:	CIVIL ACTION NO. 02CV4852
SIMEONE, In Her Own Right, and	:	
MARY ANN LENGYEL, Personal	:	
Representative of the Estate of George Lengyel,	:	
Deceased, and MARY ANN LENGYEL,	:	JURY TRIAL DEMANDED
In Her Own Right	:	
	:	
Plaintiffs,	:	
	:	
v.	:	
	:	
BOMBARDIER CORPORATION GmbH, et al.	:	
	:	
Defendants.	:	

**PLAINTIFFS' OBJECTIONS TO
DEFENDANTS BRP-ROTAX GMBH & CO. KG AND BOMBARDIER INC.
PROPOSED TRIAL EXHIBIT LIST**

EXHIBIT NO.	DESCRIPTION OF EXHIBIT	ID	E
D-1	Initial Disclosure Pursuant to Fed.R.Civ.P. 26 on behalf of Bombardier Inc.		402, 403, 802
D-2	Initial Disclosure Pursuant to Fed.R.Civ.P. 26 on behalf of Bombardier Corporation		402, 403, 802
D-3	Amended Initial Disclosure Pursuant to Fed.R.Civ.P. 26 on behalf of Bombardier Corporation		402, 403, 802
D-4	Responses to Plaintiffs' First Request for Production of Documents		402, 403, 802
D-5	The Bombardier-Rotax non-certified aircraft engines limited warranties Bates Stamped 02766-02767		
D-6	Flugmotor 582 UL DCDI – engine drawing, Bates Stamped 02768-02769		
D-7	Insurance Policy, Bates Stamped 02270-02788		402, 403, 901
D-8	Audit Checklist, Bates Stamped 02789-02794		402, 403, 802
D-9	Circular Letter , Rotax check list for engine assembly, control card, Bates Stamped 02795-02800a		402, 403
D-10	Service Information 9 UL 91-E – Installation Instruction for Rotax Ultralight engines, Bates Stamped 02801-02822		402
D-11	Warranty information received from Rotax Distributors worldwide, Bates Stamped 02823-02929		402, 403, 802
D-12	Warranty Registration List, Bates Stamped 02930-02937		402
D-13	Warranty Claim List, Bates Stamped 02938-02942		402, 403, 802
D-14	Warranty Claims, Bates Stamped 02943-02966		402, 403
D-15	Sales v. Warranty Claims, Bates Stamped 02967		402,

			403
D-16	Service Information 4UL 86/E, dates September 1986, Bates Stamped 02968-02970		
D-17	Updated Audit Checklist, Bates Stamped 02971-02977		402, 403
D-18	Parts List, Bates Stamped 02978-02987		
D-19	Warranty Claims, Bates Stamped 02988-03014		402, 403, 802
D-20	Documents relating to Warranty Claims, Bates Stamped 03015-03017		402, 403, 802
D-21	Drawings, Bates Stamped 03018-3020		
D-22	Rotax Installation Manual for Engine Types, dated May 1, 1999, Bates Stamped B00264-00331		402, 403, 802
D-23	Rotax Maintenance Manual for Engine Types, 447 UL SCDI; 503 UL DCDI; 582 UL DCDI Model 99; and 582 UL DCDI Model 90, dated May 1, 1999, Bates Stamped B00332-0391		402, 403, 802
D-24	Rotax Operator's Manual for Engine Types, 447 UL SCDI; 503 UL DCDI; 582 UL DCDI Model 99; and 582 UL DCDI Model 90, dated May 1, 1999, Bates Stamped B00392-00459		402, 403, 802
D-25	Service Bulletins re: checking / replacing tension springs on exhaust system and modified rotary valve cover, Bates Stamped B00586-00605		402, 403
D-26	Service Instructions re: installation instructions and modifications, Bates Stamped B00606-00628		402, 403
D-27	Service Information 4UL 87-E, Bates Stamped B00629-00630		
D-28	Service Instructions re: installations of reduction gearbox, Bates Stamped B00724-00743		402, 403
D-29	Service Information 14 UL 94, Bates Stamped B00746-00747		
D-30	Complaints filed by Defendants involving Rotax 582 Engine Bates Stamped B00916-01190		402, 403, 802
D-31	Assembly Procedure Rotax 582 UL DCDI MOD.		402,

	99, Bates Stamped B01191-01226		403
D-32	Parts Catalog Bates Stamped B01227-01634		402, 403, 802
D-33	Circular Letters Bates Stamped B01635-02233		402, 403
D-34	Circular Letters Bates Stamped B02234-02785		402, 403
D-35	Rotax Repair Manual for Engine Types 462-532-582 UL, Bates Stamped B02906-03075		
D-36	Service Letter – Documentation for Rotax 2-Stroke UL engines and certified 2-stroke aircraft engines, Bates Stamped B04152-04153		402, 403
D-37	Operator's Manual Engine Type 582 UL DCDI, Edition: 06 1994, Bates Stamped B04154-04211		
D-38	warranty claims relating to 582 engines, Bates Stamped B04397-04487		402, 403, 802
D-39	Certificates of Training for Ronveaux, Saunders, and Tucker, Bates Stamped B04494-04500		402, 403
D-40	Service Letters re: abnormal vibrations on aircrafts equipped with Rotax engine type 912 and re: coolant, Bates Stamped B04561-04573		402
D-41	Service Bulletins, Bates Stamped B04574-04648		402
D-42	Service Instructions, Bates Stamped B04649-04718		402, 403, 802
D-43	Correspondence dated June 30, 2005 in response to Plaintiffs' Notice to Produce and Judge Schiller's conference of June 16, 2005		402, 403, 802
D-44	Theresa Simeone's Answers to Interrogatories		402, 403, 802
D-45	Mary Anne Lengyel's Answers to Interrogatories		402, 403, 802
D-46	Plaintiffs' Response to Notice to Produce		402, 403, 802
D-47	Plaintiffs' Initial Disclosure Pursuant to Fed.R.Civ.P. 26		402, 403, 802
D-48	Attachments to Plaintiffs' Answers to Interrogatories		402, 403,

			802, 901
D-49	<p>Theresa Marie Simeone's deposition taken on June 22, 2005 with all exhibits:</p> <p>1-2: (2) photographs</p> <p>3: Interplane Order – March 6, 2000</p> <p>4: Release and Waiver</p> <p>5: Consolidated Freightways Standard Form of Loss</p> <p>6: Log Book</p> <p>7: Certificate for Lengyel</p> <p>8: Operators Manual</p> <p>9: Skyboy UL Ad</p> <p>10: Users Manual</p> <p>11: Release and Waiver</p> <p>12: Mandarino letter to Simeone</p> <p>13: Email to Interplane with handwritten notes</p> <p>14: Consolidated Freightways Bill</p> <p>15: June 7, 2000 commission check</p> <p>16-24: (9) photographs</p> <p>25: Copy of Interplane envelope</p>		402, 403, 802, 901
D-50	Mary Anne Lengyel's deposition taken on June 22, 2005		402, 403, 802
D-51	William Losey's deposition taken on June 17, 2005		402, 403, 701, 702, 703, 802,

			901
D-52	Terry Lee McCandles' deposition taken on June 21, 2005		402, 403, 802
D-53	Marcus Nathaniel Ruff's deposition taken on June 21, 2005		402, 403, 802
D-54	Joseph Yatsko's deposition taken on June 21, 2005 with all exhibits: 1: Handwritten notes – Preliminary Findings 2 – 2F (7) Photographs 3 – 3Q (18) photographs		402, 403, 701, 702, 703, 802, 901
D-55	Ronald Madison's deposition taken on June 30, 2005		802
D-56	Richard Fuess' deposition taken on June 16, 2005 and August 15, 2005		802
D-57	Ben Dawson's deposition taken on August 12, 2005 with all exhibits • Interplane Order • Pilot log book • Rotax 528 Oper. Manual • Users Manual • Release and Waiver • Photographs		402, 403, 802, 901
D-58	Ralph Mandarinino's deposition taken on July 28, 2005 with all exhibits 1: Subpoena 2: Consolidated Freightways bill 3: Dawson ltr to Lengyel 3-25-00 4: Consolidated Freightways bill 5: June 7, 2000 let. with check 6: June 9, 2000 let. to Losey 7: email Interplane		402, 403, 802, 901

	<p>8: email to Mandarino</p> <p>9: July 23, 2003 let. to Wolk</p> <p>10: email to Kim @Airlaw</p> <p>11: Let. to Mandarino</p> <p>12: email to Kim @Airlaw</p> <p>13: email to Mandarino</p> <p>14-15: emails to Kim @Airlaw</p> <p>16-17: emails to Cerski</p> <p>18: let. to Wolk</p> <p>19: Skyboy Ultralight Trainer</p> <p>20: June 7, 200 let. With check</p> <p>21: Release and Waiver</p> <p>22: Mandarino handwritten ltr</p> <p>23: Interplane order - March 6, 2000</p> <p>24-31: copies of checks</p>		
D-59	Josef Furlinger's Deposition taken on December 3, 2004 with all exhibits		
D-60	Josef Furlinger's deposition taken on July 22, 2005 with exhibits:		
D-61	<p>Exhibits to Josef Furlinger's Deposition</p> <p>1: Amended Notice to Take Deposition</p> <p>2: Service Information 4UL 87-E, May 1990</p> <p>3: Operators Manual</p> <p>4: Installation Manual</p>		

	5: Maintenance Manual 6: Rotax Engine Troubleshooting Sequence 7: Service Information 5UL 89 E, Dec. 1989 8: Repair Manual 9: Photographs 10: Service Information 4 UL 94 E, Feb. 1994		
D-62	Expert Report and Curriculum Vitae of Weldon Garrelts dated July 29, 2005		702, 703, 802
D-63	Photographs taken by Weldon Garrelts on August 5, 2003		901
D-64	Photographs taken by Weldon Garrelts on July 7, 2005		901
D-65	Expert Report and Curriculum Vitae of Kenneth Orloff dated July 29, 2005		702, 703, 802
D-66	Curriculum Vitae of Kas Osterbuhr		26, 702, 703, 802
D-67	Photographs taken by Kenneth Orloff on June 28, 2005		901
D-68	Photographs taken by Kenneth Orloff on July 7, 2005		901
D-69	Anglin Aircraft Photographs taken by Kenneth Orloff on July 7, 2005		901
D-70	Photographs taken by Kenneth Orloff on July 12 and 14, 2005		901
D-71	Expert report and Curriculum Vitae of Roger Stalkamp dated July 28, 2005		702, 703, 802
D-72	Photographs taken by Roger Stalkamp at Lockwood Aviation Repair on July 26, 2005		901

D-73	Mark Seader's deposition taken on August 23, 2005 with all exhibits		802
D-74	Expert Report and Curriculum Vitae of Mark Seader dated July 15, 2005		802
D-75	Manuel Raefsky's deposition taken on August 24, 2005 with all exhibits: 1-6: (6) articles 7: Invoices 8: Computer disk 9: Report 10: Diagram		802
D-76	Expert Report and Curriculum Vitae of Manuel Raefsky dated July 12, 2005		802
D-77	Donald Sommer's deposition taken on August 25, 2005 with all exhibits: 1A-C: File 1D: Airport Diagram 1E: File 2 : dep notebook 2A: engine test run schedule 2B: 7-28-05 LTR 2C: 6 photos 2D: photo 3: Handwritten notes 4: email 5A: tapes 1 & 2, Aug. 5, 2005, Oil Pump test		802

	6: tape, Aug. 5, 2005, Fuel pump disassembly 7A: tape July 26, 2005, testing 1 7B : tape July 26, 2005, testing 2 7C: tape, July 26, 2005, testing 3 8 : notes 9-13: photographs		
D-78	Expert Report and Curriculum Vitae of Donald Sommer dated July 15, 2005		802
D-79	Supplemental report of Donald Sommer dated August 5, 2005		
D-80	Expert Report and Curriculum Vitae of Herbert Newbold dated July 15, 2005		802
D-81	Herbert Newbold's deposition taken on August 26, 2005 with all exhibits: 1: file 1A: note/analysis 1B: Ford Fatal Rotax Ultralight Accidents 2: Litigation list		802
D-82	Economic Consultant of Albert Simeone prepared by Bunin Associates and Curriculum Vitae, dated August 11, 2004		
D-83	Economic Consultant of George Lengyel prepared by Bunin Associates and Curriculum Vitae		
	Any and all Demonstrative Evidence including, but not limited to, charts; diagrams; schematic drawings; exemplar engines; engine components; videotape presentations; compact disk presentations; dvd presentations; posters; photographs; tape recordings; and all evidence which is part of discovery		26, 402, 403, 701, 702, 703, 802, 901
	Any and all Charts and Diagrams		26, 402, 403,

			701, 702, 703, 802, 901
D-84	Any and all videotapes including but not limited to the Plaintiffs' Inspection Videotapes #1 and 2 taken on January 21 & 22, 2002		402, 403, 701, 702, 703, 802, 901
D-85	Jackson Police Videotape taken on July 26, 2000		402, 403, 701, 702, 703 802
D-86	Accident Scene Photographs taken by Joseph Yatsko and any other members of the Jackson Township Police		402, 403
D-87	Photographs taken at McSwain Engineering		901
D-88	Any and all wreckage from the subject ultralight		
D-89	Any and all photographs obtained through discovery		402, 403, 901
D-90	Gobler-Hirthmotoren KG - Information 3203 V and Compact Radial Engines - Instruction and Maintenance Manual MZ 202		402, 403, 802, 901
D-91	Donald Sommer Order of Revocation dated July 1, 1987		402, 403, 608, 609
D-92	Donald Sommer Substitution of Order of Suspension dated May 24, 1991		402, 403, 608, 609
D-93	Settlement Agreement in the matter of <i>Busey v. Sommer</i>		402, 403, 608, 609
D-94	Opinion in the matter of <i>Sommer v. Federal Aviation Administration</i> , 1994 U.S. App. LEXIS		402, 403,

	9479		608, 609
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